

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, a public body politic and corporate, duly organized and existing pursuant to the provisions of the Housing Authority Law of the Commonwealth of Massachusetts (appearing in Massachusetts General Laws (Ter. Ed.) Chapter 121, as amended) and having its principal office in Boston, Suffolk County, Massachusetts, in pursuance of its powers as set out in said Housing Authority Law and every other power thereunto enabling determined that the area or areas hereinafter described within the City of Boston constitute a substandard and decadent area as defined in Section 26J of the Housing Authority Law, and further determined in accordance with Sections 26KK and 26ZZ of said Law and all other powers granted by said Chapter 121 that a project for the assembly and renewal of said area, hereinafter called the "Government Center Project," described in "Annex A," ought to be undertaken in said City; and

WHEREAS, on June 5, 1963, the Redevelopment Authority approved and adopted an Urban Renewal Plan, as defined in said section 121, for the renewal of said area, said plan being entitled, "Government Center Urban Renewal Plan"; and

WHEREAS, the Authority acting as the Planning Board of said City, the City Council of said City, and the State Housing Board have severally approved said Renewal Plan and project and made appropriate findings in connection therewith, all in accordance with the provisions of law; and

WHEREAS, the City of Boston and said Redevelopment Authority have entered into an agreement, dated June 5, 1963, and entitled,



"Cooperation Agreement," providing among other things for a contribution by said City in connection with the carrying out and completion of said Urban Renewal Plan; and

WHEREAS, public hearings on said Urban Renewal Plan and Government Center Project have been held, after due notice, including public hearings by the said Redevelopment Authority; and

WHEREAS, the Boston Redevelopment Authority, with the written approval of the Mayor of the City of Boston and the State Housing Board, has entered into a Loan and Grant Contract, dated with the Housing and Home Finance Agency under Title I of the Housing Act of 1949, as amended, providing for Federal financial assistance in connection with the carrying out and execution of said Urban Renewal; and

WHEREAS, the Redevelopment Authority has determined that the taking in fee simple by eminent domain of said area, as hereinafter described, is necessary and reasonably required to carry out the purposes of the Housing Authority Law and said Urban Renewal Plan; and

WHEREAS, the Redevelopment Authority in accordance with the provisions of Section 26P, subparagraph (b), of said Housing Authority Law has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by General Laws (Ter. Ed.) Chapter 79.

NOW, THEREFORE, ORDERED that the Boston Redevelopment Authority, acting under the provisions of the Housing Authority Law and without limiting the generality of the foregoing, of section 26P, subparagraph (b), of General Laws (Ter. Ed.) Chapter 121, and all other authority thereunto enabling, and pursuant to the applicable provisions of General Laws (Ter. Ed.) Chapter 79, and of any and every other power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain for the purposes hereinbefore set forth, the area or areas located in the City of Boston as hereinafter



described, including all parcels of land therein, together with any and all easements and rights appurtenant thereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee to the center of any and all public streets, highways and public ways, contiguous and adjacent to said area or areas, except any and all easements of travel in and to any and all public streets, highways, and public ways in said area or areas or contiguous and adjacent thereto, being bounded and described in "Annex B" attached hereto and made a part hereof as though incorporated herein in full and being shown on a plan dated December 5, 1962, said plan being entitled, "Government Center Project, Mass. R-35, Property Line Map, Boston Redevelopment Authority, Segment P4, "

AND FURTHER ORDERED that in accordance with the provisions of the General Laws, Chapter 79, Section 6, as amended, awards are made by the BOSTON REDEVELOPMENT AUTHORITY for damages sustained by the owner or owners and all other persons including all mortgagees of record having any and all interest in each parcel of the areas described in "Annex B" and entitled to any damages by reason of the taking hereby made; the word, "Parcel" as herein used being construed to mean any contiguous tract of land in the same ownership, whether or not such tract consists of one or more platted lots or a fractional part thereof. The Boston Redevelopment Authority reserves the right to amend the award or to increase the amount of damages to be paid at any time prior to the payment thereof for good cause shown.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the office of the Suffolk County Registry of Deeds.

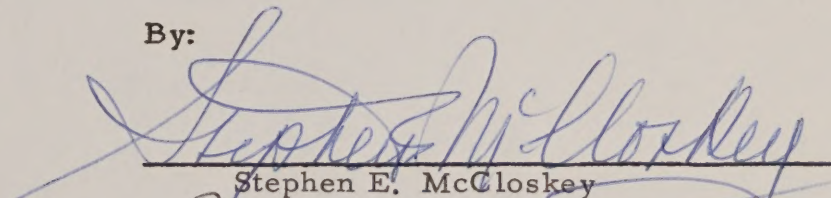


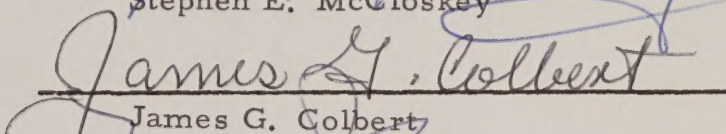
IN WITNESS WHEREOF, we, the following members of the Boston  
Redevelopment Authority have caused the corporate seal of the Authority  
to be hereto affixed and these presents to be signed in the name and  
behalf of the Boston Redevelopment Authority.

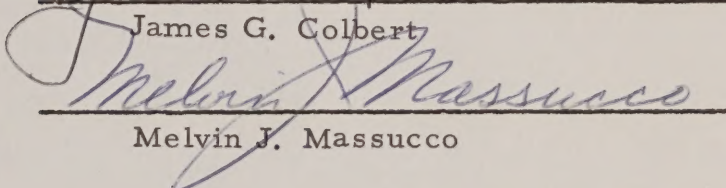
DATED: DEC. 4 1964

BOSTON REDEVELOPMENT AUTHORITY

By:

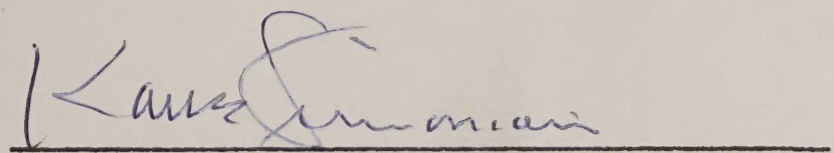
  
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Stephen E. McCloskey

  
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James G. Colbert

  
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Melvin J. Massucco

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ATTEST:

  
\_\_\_\_\_  
Secretary of the Boston Redevelopment Authority



ANNEX A

GOVERNMENT CENTER URBAN RENEWAL AREA

PROJECT AREA DESCRIPTION

That certain tract of land, referred to as the Government Center Urban Renewal Area, situated in the City of Boston, County of Suffolk and Commonwealth of Massachusetts, and bounded generally as follows:

Beginning at the intersection of Staniford Street with Merrimac Street:

Thence running in a southerly direction along Staniford Street to the intersection of Cambridge Street;

Thence running in an easterly direction along Cambridge Street to the intersection of Somerset Street;

Thence running in a southerly direction along Somerset Street to the intersection with the extended northerly property line of the County Court House Annex;

Thence running in an easterly direction along the extended northerly property line and the northerly property line of the said County Court House Annex to a point which is the northeast corner of said property;

Thence running in a southerly direction along the easterly property line of the said County Court House Annex to the intersection with the northerly sideline of Pemberton Square;

Thence running in a westerly and a southerly direction along the northerly and westerly sidelines of Pemberton Square to the intersection with the extended northerly property line of the property identified as 34 Pemberton Square-39 Tremont Street;

Thence running in an easterly and a southerly direction along the extended northerly property line and the northerly property line of said 34 Pemberton Square-39 Tremont Street across Tremont Street along said northerly property line extended to an intersection with the easterly sideline of Tremont Street;



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That certain tract of land, referred to as the Government Center Urban Renewal Area, situated in the City of Boston, County of Suffolk and Commonwealth of Massachusetts, and bounded generally as follows:

Beginning at the intersection of Staniford Street with Merrimac Street:

Thence running in a southerly direction along Staniford Street to the intersection of Cambridge Street;

Thence running in an easterly direction along Cambridge Street to the intersection of Somerset Street;

Thence running in a southerly direction along Somerset Street to the intersection with the extended northerly property line of the County Court House Annex;

Thence running in an easterly direction along the extended northerly property line and the northerly property line of the said County Court House Annex to a point which is the northeast corner of said property;

Thence running in a southerly direction along the easterly property line of the said County Court House Annex to the intersection with the northerly sideline of Pemberton Square;

Thence running in a westerly and a southerly direction along the northerly and westerly sidelines of Pemberton Square to the intersection with the extended northerly property line of the property identified as 34 Pemberton Square-39 Tremont Street;

Thence running in an easterly and a southerly direction along the extended northerly property line and the northerly property line of said 34 Pemberton Square-39 Tremont Street across Tremont Street along said northerly property line extended to an intersection with the easterly sideline of Tremont Street;



Thence running in a northerly direction along the easterly sideline of Tremont Street to the southwesterly corner of the property identified as 10 Tremont Street;

Thence running in an easterly direction along the southern property line of said 10 Tremont Street to the southeasterly corner of said property;

Thence running a northerly direction along the easterly property line of said 10 Tremont Street to the intersection of Court Street;

Thence running in an easterly direction along Court Street to a point of intersection with the northerly property line of the Old State House to the northeast corner of said property;

Thence running in a southerly direction along the easterly property line of said Old State House to the southeast corner of said property;

Thence running in an easterly direction along the extended southerly property line of said Old State House to the northerly property line of 31-33 State Street, which is also the southerly sideline of State Street, and continuing along State Street to an intersection with the extended easterly sideline of Change Avenue;

Thence running in a northerly direction along the extended easterly sideline and the easterly sideline of Change Avenue to an intersection with the northerly property line of 60 State Street;

Thence running in an easterly direction along the northerly property lines of 60 State Street and 80 State Street and the last said property line extended in an easterly direction to an intersection with Merchants Row;



Thence running in a northerly direction along the extended easterly sideline of Merchants Row to an intersection with the southerly property line of 1-3 South Market Street, which is also the northerly sideline of Chatham Street;

Thence running in a westerly and northerly direction along the property line of said 1-3 South Market Street and the extended easterly sideline of Merchants Row to an intersection with the extended southerly property line of Faneuil Hall;

Thence running in a westerly and northerly direction along the extended southerly property line, the southerly property line and the westerly property line of said Faneuil Hall extended to an intersection with the northwesterly sideline of North Street;

Thence running in a southwesterly direction along North Street to an intersection with Union Street;

Thence running in a northerly direction along Union Street to an intersection with Hanover Street;

Thence running in a northeasterly direction along Hanover Street to an intersection with Blackstone Street;

Thence running in a northwesterly direction along Blackstone Street which is also a State Highway location layout line, to the end of Blackstone Street at Haymarket Square;

Thence running in a northeasterly and northwesterly direction along the State Highway location layout line to the southeasterly corner of the Haymarket Relief Station;

Thence running in a northwesterly direction along the northeasterly property line of said Haymarket Relief Station to an intersection with Canal Street;

Thence running in a southeasterly direction along Canal Street to an intersection with the extended northerly sideline of Market Street;



Thence running along the extended northerly sideline and  
the northerly sideline of Market Street to an intersection with  
Merrimac Street;

Thence running in a northwesterly direction along Merrimac  
Street to the point of beginning.



ANNEX B  
BOSTON REDEVELOPMENT AUTHORITY  
GOVERNMENT CENTER PROJECT  
AREA

TAKING AREA DESCRIPTION

The only parcel of land taken by this Order of Taking is the parcel known as the Haymarket Relief Station, being shown as Block 113, Parcel 1, on a plan entitled, "Government Center Project, Mass. R-35, Property Line Map, Boston Redevelopment Authority, Segment P4," which plan is recorded herewith. The supposed owner of said parcel is the City of Boston.

Excluded from this Order of Taking is any and all property, real or personal, of the Massachusetts Bay Transit Authority including but not limited to poles, tracks, wires, conduits, cables or any other structure or appurtenance thereto.